

**MEMORANDUM**

**TO: ENERGY, ENVIRONMENT, AND AGRICULTURE TASK FORCE MEMBERS**  
**FROM: JOHN EICK, TASK FORCE DIRECTOR**  
**DATE: March 28, 2014**  
**RE: 35-DAY MAILING—SPRING TASK FORCE SUMMIT**

---

The American Legislative Exchange Council will host its **Spring Task Force Summit on May 1-2 in Kansas City, MO** at the **Kansas City Marriott Downtown**. If you have not yet registered for this meeting, please [click here](http://www.alec.org) for registration information or go to [www.alec.org](http://www.alec.org).

The following meetings would be of interest to members of the Energy, Environment, and Agriculture Task Force:

**Thursday, May 2**

- Off-Site Coal and Gas-Fired Power Plant Tour for State Legislators (1:30 pm – 5 pm)\*

**Friday, May 3**

- Energy Subcommittee Meeting (9:00 am – 9:50 am)
- Environmental Health Subcommittee Meeting (10:00 am – 10:50 am)
- Agriculture Subcommittee Meeting (11:00 am – 11:50 am)
- Energy, Environment, and Agriculture Task Force Luncheon (12:30 pm – 1:30 pm)\*\*
- Energy, Environment, and Agriculture Task Force Meeting (2:00 pm – 5:00 pm)
- Kansas City Reception (5:30 pm – 7:00 pm)

**The following materials are attached:**

- Agenda for the Energy, Environment, and Agriculture Task Force Meeting
- Agendas for the Energy Subcommittee, Environmental Health Subcommittee, and Agriculture Subcommittee
- Spring Task Force Summit Agenda-at-a-Glance
- Scholarship Policy by Meeting and ALEC Mission Statement
- Attendee Registration Housing Form and Spouse/Guest Registration Housing Form
- Proposed Model Policy

\*If you would like more information or you would like to RSVP, please send me an email and arrange your travel plans so that you are ready to leave the hotel by 1:30 pm on May 1<sup>st</sup>.

\*\* The Task Force luncheon is will be a working lunch with a panel discussion. Panelists will discuss the role of distributed generation (DG) technologies and net metering policies in their respective states and offer solutions for reasonable reforms.

As a reminder, the attached proposed policy is not official ALEC model policy until it passes both the Energy, Environment, and Agriculture Task Force and ALEC's National Board of Directors.

If you have any questions or concerns regarding the meeting, please contact me at (571) 482-5008 or by e-mail [jeick@alec.org](mailto:jeick@alec.org).

Sincerely,  
John Eick



## **ALEC ENERGY, ENVIRONMENT, AND AGRICULTURE TASK FORCE MEETING**

2014 SPRING TASK FORCE SUMMIT  
KANSAS CITY, MO  
MAY 2, 2014  
2:00 PM – 5:00 PM

### **TENTATIVE AGENDA**

- 2:00 Call to Order, Welcome, and Introductions  
*Rep. Thomas Lockhart, Wyoming*  
*Mr. Paul Loeffelman, American Electric Power*
- 2:10 Presentation: Sue and Settle – How Federal Agencies Replace States with Environmental Groups
- 2:30 Proposed Model Policy: Electric Transmission Line Siting Compact
- 2:50 Presentation: EPA Approaches to Regulating Greenhouse Gas Emissions under the Clean Air Act
- 3:05 Discussion: Strategies Employed by States to Address Proposed Emissions Regulations
- 3:20 Proposed Model Policy: Resolution Concerning the Oil and Gas Approval Process on Federal Lands
- 3:40 Presentation: The Implications of New Clean Water Act (CWA) Proposed Regulations on Agriculture
- 4:00 Presentation TBA
- 4:20 New Task Force Member Introductions and Presentations
- 4:50 For the Good of the Order
- 5:00 Adjourn



## **ENERGY SUBCOMMITTEE MEETING**

2014 SPRING TASK FORCE SUMMIT

KANSAS CITY, MO

MAY 2, 2014

9:00 AM – 9:50 AM

### **TENTATIVE AGENDA**

- 9:00 Call to Order, Welcome, and Introductions
- 9:05 Proposed Model Policy: Electric Transmission Line Siting Compact
- 9:20 Proposed Model Policy: Resolution Concerning the Oil and Gas Approval Process on Federal Lands
- 9:35 Discussion: Energy Issue Areas that ALEC should address in forthcoming meetings
- 9:50 Adjourn



## **ENVIRONMENTAL HEALTH SUBCOMMITTEE MEETING**

2014 SPRING TASK FORCE SUMMIT

KANSAS CITY, MO

MAY 2, 2014

10:00 AM – 10:50 AM

### **TENTATIVE AGENDA**

- 10:00 Call to Order, Welcome, and Introductions
- 10:05 Presentation: State Legislative and Regulatory Update on Chemical Policy
- 10:25 Discussion: Environmental Health Issue Areas that ALEC should address in forthcoming meetings
- 10:50 Adjourn



## **AGRICULTURE SUBCOMMITTEE MEETING**

2014 SPRING TASK FORCE SUMMIT

KANSAS CITY, MO

MAY 2, 2014

11:00 AM – 11:50 AM

### **TENTATIVE AGENDA**

10:00 Call to Order, Welcome, and Introductions

10:05 Presentation: Farm Bill Update

10:25 Discussion: Agriculture Issue Areas that ALEC should address in forthcoming meetings

10:50 Adjourn

## **2014 Spring Task Force Summit Schedule of Events**

**Friday, May 2<sup>nd</sup>, 2014**

9am – 12pm Subcommittee Meetings

12:30pm – 1:30pm Task Force Luncheons

2pm- 5pm Task Force Meetings

5:30pm – 7pm Kansas City Reception

## **STATE REIMBURSEMENT FUND ACCOUNT POLICY (WHERE APPLICABLE):**

The purpose of the State Reimbursement Fund Account is to provide funding for state lawmakers to attend ALEC conferences, state focus events, and membership events. In those states which allow the establishment of a State Reimbursement Fund Account to be administered by ALEC in Arlington, VA, the Private Sector Chair (where permissible by state law), along with the Public Sector Chair, monitors both contributions and expenditures from that account. The Coordinator of Corporate and Nonprofit Affairs maintains the State Reimbursement Fund account and issues monthly reports of State Reimbursement Fund activity to the regional representatives at ALEC. The regional representatives then provide fund activity to the Public and Private State Chairs and Vice Chairs for their review. Contributions to the ALEC State Reimbursement Fund are tax deductible as ALEC is a non-profit 501(c)(3) corporation. All expenditures from the fund – where applicable – must be approved by the State Chair. No expenditures shall be approved for State Reimbursement Fund Accounts with negative balances. Likewise, no expenditures shall be approved if such will result in the State Reimbursement Fund Account having a negative balance. All disbursements from the ALEC State Reimbursement Fund must be in conformance with all applicable laws, regulations, and rules. Revisions and deviations from this Policy will be made whenever necessary to ensure that the State Reimbursement Fund Account is in full compliance with any applicable law, regulation, or rule.

State chairs must use the template letter with the ALEC logo and the template invoice. The public sector state chair must sign the template letter. Public Sector State Chairs have flexibility to add the signature(s) of the Private Sector State Chair, National Chair or Executive Director. State delegations are encouraged to complete fundraising efforts by the end of the first quarter.

## **AMERICAN LEGISLATIVE EXCHANGE COUNCIL BYLAWS:**

### **Section 10.07 State Reimbursement Funds.**

All funds for ALEC State Reimbursement Funds shall be deposited in accounts designated by the ALEC Legislative Board of Directors. State Chairs are prohibited from establishing, maintaining, or utilizing the accounts. Account expenses can be for ALEC only. Violation of this section shall constitute grounds for (1) immediate removal from a leadership position, and (2) dismissal from membership in accordance with these bylaws.

## **TRAVEL REIMBURSEMENT POLICY BY MEETING:**

### **Spring Task Force Summit:**

1. Spring Task Force Summit Reimbursement Form: ALEC Task Force members are reimbursed by ALEC up to \$350.00 for travel expenses. Receipts must be forwarded to the ALEC Policy Coordinator and approved by the Director of Policy.
2. ALEC Task Force Members' room & tax fees for a two-night stay are reimbursed by ALEC.
3. Official Alternate Task Force Members (chosen by the State Chair and whose names are given to ALEC more than 35 days prior to the meeting to serve in place of a Task Force Member who cannot attend) will be reimbursed in the same manner as Task Force Members.
4. State Reimbursement Form: Any fees above \$350.00 or for expenses other than travel and

room expenses can be submitted by Task Force Members for payment from the state account upon the approval of the State Chair. Receipts must be submitted to the State Chair who will approve disbursement. However, ALEC has ultimate authority over final disbursement. It is the responsibility of each member, not the State Chair, to mail their signed request to the Coordinator of Corporate and Nonprofit Affairs, ALEC, 2900 Crystal Drive, Suite 600, Arlington, VA 22202.

5. Non-Task Force Members can be reimbursed out of the state fund upon approval. Receipts must be submitted to the State Chair who will submit the signed form to the Senior Director of Membership and Development.

### **ALEC Annual Meeting:**

State Reimbursement Form: State funds are available for reimbursement by approval of the ALEC State Chair. Expenses are reimbursed after the conference and may cover the cost of travel, room & tax, and registration. Receipts must be submitted to the State Chair who will approve disbursement. However, ALEC has ultimate authority over final disbursement. It is the responsibility of each member to mail their signed request form to the Coordinator of Corporate and Nonprofit Affairs, ALEC, 2900 Crystal Drive, Suite 600, Arlington, VA 22202.

### **ALEC States & Nation Policy Summit:**

1. States & Nation Policy Summit Reimbursement Form: ALEC reimburses \$2,000.00 per state to cover the cost of travel, room & tax, and registration not to exceed \$1,000.00 per person for state for new ALEC legislators. ALEC recipients are selected by the ALEC State Chair. Expenses are submitted to the State Chair and reimbursed after the conference. The State Chair submits the signed form to the Senior Director of Membership and Development.
2. State Reimbursement Form: Any other fees or payments must be made out of the state account with ALEC's approval. Receipts must be submitted to the State Chair who submits the signed form to the Senior Director of Membership and Development.

### **ALEC Academies:**

Academy Reimbursement Form: Attendees to ALEC Academies are reimbursed by the Task Force Committee hosting the Academy. Attendees will receive a form at the academy and will be reimbursed up to \$500.00 for travel, and room & tax fees for a two-night stay by ALEC. Receipts must be submitted to the State Chair who will approve disbursement. However, ALEC has ultimate authority over final disbursement. It is the responsibility of each member to mail their signed request signed form to the Coordinator of Corporate and Nonprofit Affairs, ALEC, 2900 Crystal Drive, Suite 600, Arlington, VA 22202. Receipts must be forwarded to the ALEC Policy Coordinator and approved by the Senior Director, Policy and Strategic Initiatives.





## **Mission Statement**

To advance free markets, limited government,  
and federalism.

# 2014 ALEC SPRING TASK FORCE SUMMIT

May 1 - 2, 2014

Kansas City Marriott Downtown  
200 W 12th St • Kansas City, MO 64105

## ATTENDEE REGISTRATION / HOUSING FORM

Early registration deadline: April 4, 2014

Housing cut-off date: April 4, 2014



Online [www.alec.org](http://www.alec.org) Email [meetings@alec.org](mailto:meetings@alec.org) Fax 703.373.0932 Phone / Questions 571.482.5056 (Mon-Fri, 9am-5pm EST)

### ATTENDEE INFORMATION

Prefix \_\_\_\_\_ First Name \_\_\_\_\_ Middle Initial \_\_\_\_\_ Last Name \_\_\_\_\_ Suffix(s) : \_\_\_\_\_  
Badge Nickname: \_\_\_\_\_ Title \_\_\_\_\_  
Organization (required) \_\_\_\_\_  
Preferred Mailing Address: ☐ Business ☐ Home \_\_\_\_\_  
City \_\_\_\_\_ State/Province \_\_\_\_\_ Country \_\_\_\_\_ ZIP/Postal code \_\_\_\_\_  
Preferred Phone ☐ Work ☐ Home ☐ Mobile \_\_\_\_\_ Alternate phone ☐ Work ☐ Home ☐ Mobile \_\_\_\_\_ Fax \_\_\_\_\_  
Email (confirmation will be sent by email) \_\_\_\_\_  
On-site Emergency Information Name of Person to Contact: \_\_\_\_\_ Phone \_\_\_\_\_ Relationship to You: \_\_\_\_\_  
Do you have any special physical, dietary (for example, vegetarian, kosher), or other needs: ☐ Yes ☐ No  
If yes, please describe: \_\_\_\_\_  
☐ This is my first time attending an ALEC event.

**\*Spouse / Guest:** If registering a spouse or guest, please complete the spouse/guest registration form. Spouse / guest registration is meant to accommodate legal spouses and immediate family members. Attendees from the same organization must register independently.

### REGISTRATION INFORMATION

**\*\* Please note that member fees are subject to verification**

	EARLY until April 4	ON-SITE begin April 5
<input type="checkbox"/> ALEC Legislative Task Force Member	\$ 150	\$ 150
<input type="checkbox"/> ALEC Private Sector Task Force Voting Member	\$ 275	\$ 275
<input type="checkbox"/> ALEC Non-Profit Task Force Voting Member	\$ 275	\$ 275
<input type="checkbox"/> ALEC Legislative Member/ Non-Task Force Member	\$ 300	\$ 400
<input type="checkbox"/> Private Sector Member/ Non-Task Force Member	\$ 550	\$ 650
<input type="checkbox"/> ALEC Non-Profit Member (501(c)(3) status required)/ Non-Task Force Member	\$ 475	\$ 575
<input type="checkbox"/> Legislative/ Non-Member	\$ 400	\$ 500
<input type="checkbox"/> Private Sector/ Non-Member	\$ 675	\$ 825
<input type="checkbox"/> Non-Profit Non-Member (501(c)(3) status required)	\$ 625	\$ 725
<input type="checkbox"/> Legislative Staff/ Government	\$ 400	\$ 500
<input type="checkbox"/> ALEC Alumni	\$ 350	\$ 450
<input type="checkbox"/> ALEC Legacy Member	\$ 0	\$ 0

### METHOD OF REGISTRATION PAYMENT

**Credit Card:** Credit cards will be charged immediately.

☐ Amer Express ☐ Visa ☐ MasterCard

Card # \_\_\_\_\_

Cardholder (please print) \_\_\_\_\_

Exp Date (mm/yy) \_\_\_\_\_ Security Code \_\_\_\_\_

Signature \_\_\_\_\_

### REGISTRATION CANCELLATION / REFUND INFORMATION

Registrations cancelled prior to 5pm EST April 4, 2014 are subject to a \$100 cancellation fee. Registrations are non-refundable after 5pm EST April 4, 2014.

REGISTRATION FEES: \$ \_\_\_\_\_

**Note:** Registration forms with enclosed payments must be received by April 4, 2014 to be eligible for early bird registration rates. Forms and/or payments received after April 4, 2014 will be subject to the on-site registration rate.

### REGISTRATION CONFIRMATION INFORMATION

Online registrants will receive immediate email confirmation. If registering by form, confirmation will be emailed, faxed, or mailed within 72 hours of receipt of payment.

### HOUSING RESERVATION CUTOFF FOR ALEC DISCOUNTED RATE IS April 4, 2014

Kansas City Marriott Downtown Arrival Date \_\_\_\_\_ Departure Date \_\_\_\_\_

Sharing with: (Maximum 4 guests per room)

#### Room Type

<input type="checkbox"/> Single	(1 person – 1 bed)	\$149
<input type="checkbox"/> Double	(2 persons – 1 bed)	\$149
<input type="checkbox"/> Double/ Double	(2 persons – 2 beds)	\$149
<input type="checkbox"/> Triple	(3 persons – 2 beds)	\$149
<input type="checkbox"/> Quad	(4 persons – 2 beds)	\$149

#### Special requests

☐ ADA room required:  
\_\_\_ Audio \_\_\_ Visual \_\_\_ Mobile  
☐ Rollaway / crib: \_\_\_\_\_  
☐ Other: \_\_\_\_\_

#### Credit Card Information/ Reservation Guarantee

Credit Card information is required at time of reservation to guarantee the reservation. Card must be valid through December 2014.

☐ Please use the same credit card information as above.

☐ Amer Express ☐ Visa ☐ MasterCard ☐ Discover

Card # \_\_\_\_\_

Cardholder (please print) \_\_\_\_\_

Exp Date (mm/yy) \_\_\_\_\_ Security Code \_\_\_\_\_

Signature \_\_\_\_\_

Room types and special requests are not guaranteed.

All rates DO NOT include city development fee \$1.75 and room tax currently 16.85% (subject to change)

Note: Cutoff for reservations at the ALEC rate is April 4, 2014. After April 4, 2014, every effort will be made to accommodate new reservations, based on availability and rate. The hotel will assign specific room types at check in, based upon availability.

### HOUSING CONFIRMATION INFORMATION

Online reservations will receive immediate email confirmation. Reservations received by form will be confirmed via email, fax, or mail within 72 hours of receipt.

### HOUSING CANCELLATION / REFUND INFORMATION

Credit cards will be charged one night room and tax in the event of a no show or if cancellation occurs within 72 hours prior to arrival. Please obtain a cancellation

# 2014 ALEC SPRING TASK FORCE SUMMIT

May 1 - 2, 2014

Kansas City Marriott Downtown

200 W 12th St • Kansas City, MO 64105



## SPOUSE/GUEST REGISTRATION FORM

**Online**  
www.alec.org

**Fax (credit cards only)**  
703.373.0932

**Phone / Questions** • Mon-Fri, 9am-5:00 pm EST  
571.482.5056

### ATTENDEE INFORMATION IS REQUIRED TO REGISTER A SPOUSE OR GUEST

First Name \_\_\_\_\_ Last Name \_\_\_\_\_

Organization \_\_\_\_\_

Daytime phone \_\_\_\_\_

Email (Confirmation will be sent by email) \_\_\_\_\_

### SPOUSE / GUEST REGISTRATION

#### SPOUSE / GUEST REGISTRATION GUIDELINES

1. Spouse / guest registration is meant to accommodate legal spouse and immediate family members.
2. Attendees from the same organization must register independently. No exception will be made.
3. Spouse / guest designation will be clearly visible on name badge.

Prefix \_\_\_\_\_ Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle initial \_\_\_\_\_ Badge Nickname \_\_\_\_\_

Prefix \_\_\_\_\_ Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle initial \_\_\_\_\_ Badge Nickname \_\_\_\_\_

Prefix \_\_\_\_\_ Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle initial \_\_\_\_\_ Badge Nickname \_\_\_\_\_

SPOUSE / GUEST REGISTRATION FEES	Number of Spouse/Guest(s)	Fee	TOTAL
<input type="checkbox"/> Spouse / Guest <i>please note name(s) above</i>	_____	\$ 50	\$ _____

#### METHOD OF SPOUSE / GUEST REGISTRATION PAYMENT

**Credit Card:** Credit cards will be charged immediately. Please fax to the above number for processing.

☐ Amer Express Card # \_\_\_\_\_  
☐ Visa Cardholder (please print) \_\_\_\_\_  
☐ MasterCard Exp Date (mm/yy) \_\_\_\_/\_\_\_\_ Security Code \_\_\_\_\_  
Signature \_\_\_\_\_

#### REGISTRATION CONFIRMATION INFORMATION

Online registrants will receive immediate email confirmation. If registering by form, confirmation will be emailed within 72 hours of receipt of payment.

#### REGISTRATION CANCELLATION / REFUND INFORMATION

Registrations are non-refundable after 5pm EST April 4, 2014.

## **Resolution Concerning the Oil and Gas Lease Approval Process on Federal Lands**

**WHEREAS**, the Mineral Leasing Act of 1920 and the Mineral Leasing Act for Acquired Lands of 1947 give the Bureau of Land Management (BLM) responsibility for oil and gas leasing on about 564 million acres of BLM, national forest, and other Federal lands, as well as State and private surface lands where mineral rights have been retained by the Federal Government.

**WHEREAS**, the Federal Land Policy Act of 1976 charged the BLM with “manag[ing] public land resources for a variety of uses, such as energy development, livestock grazing, recreation, and timber harvesting, while protecting a wide array of natural, cultural, and historical resources.”

**WHEREAS**, oil and natural gas production on federal lands is down over 40% compared to ten years ago.

**WHEREAS**, in FY 1988 over 12 million acres of federal land were under lease, and in FY 2012 fewer than 2 million acres were under lease.

**WHEREAS**, the Energy Policy Act of 2005 sought to streamline the process of applications for permits to drill (APDs), the time for approval has increased. In 2011, it took an average of 307 for all parties to process an ADP. In 2006, it took an average of 218 days.<sup>1</sup>

**WHEREAS**, opening more federal land to drilling could be an economic boon for States in the West. Proposed projects in Wyoming outstanding as of January 1, 2012 could create 58,480 jobs, \$14.8 billion in economic impact, and \$82.5 million in government revenue annually. Similarly, proposed projects in Utah outstanding as of January 1, 2012 could create 62,425 jobs, \$12.7 billion in economic impact, and \$56.7 million in government revenue annually.<sup>2</sup>

**NOW, THEREFORE BE IT RESOLVED** that the Legislature of the state of {state} calls upon the Bureau of Land Management to expedite approval of existing lease requests on public lands.

**BE IT FURTHER RESOLVED** that the Legislature of the state of {state} urges the United States Congress to pass legislation aimed at further streamlining the lease approval process.

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the Director of the Bureau of Land Management, the United States Secretary of the Interior, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and the members of the congressional delegation of {state}.

---

<sup>1</sup> “U.S. Crude Oil and Natural Gas Production in Federal and Non-Federal Areas,” Congressional Research Service, March 7, 2013.

<sup>2</sup> “Executive Summary Economic Impacts of Oil & Gas Development on Federal Lands in the West,” Western Energy Alliance, April 2012.

## **Electric Transmission Line Siting Compact**

### **ARTICLE I: PURPOSE**

Siting electric transmissions lines across state borders and federal lands is an issue for states, the federal government, transmission utilities, consumers, environmentalists, and other stakeholders. The current, multi-year application review process by separate and equal jurisdictions constitutes a sometimes inefficient and redundant process for transmission companies and complicates the efforts of state and federal policy-makers and other stakeholders to develop more robust economic opportunities, increase grid reliability and security, and ensure the consumers have the lowest cost electricity possible.

In an effort to create more energy independence, develop more renewable and cleaner electricity generation resources and capture economic opportunities in developing smart energy technologies member states recognize a critical need to be able to site interstate electricity transmission lines to make the electric grid more robust, reliable, efficient, and to promote economic competitiveness.

This compact recognizes that states have a vested interest in retaining their sovereignty and that EPACT 2005 authorizes interstate compacts that can forestall federal preemptive acts if states cooperatively develop a transmission siting process.

The goal of this compact is to balance competing interests of the stakeholders and to provide a mechanism with which to resolve differences, bring interested parties together, and move projects forward. The compact creates a national structure under which states may cooperate on a regional basis, to facilitate siting of interstate power lines.

Based on these considerations, this interstate compact is intended to:

- A. Simplify and standardize the application and filing process.
- B. Create a transparent and streamlined process for review and decision making.
- C. Allow states to consider regional benefits.
- D. Minimize impediments and delays to the siting of interstate transmission lines.
- E. Promote regional collaborative decision-making on line siting while providing the opportunity for public review and comments regarding the application.

- F. Avail the member states of the provisions in EPACT 2005 and preserving state sovereignty with respect to interstate transmission line siting.
- G. Create a forum for federal agencies and tribes to become part of the siting review process simultaneously with states.

## **ARTICLE II: DEFINITIONS**

- A. “Bylaws” means: those bylaws established by the interstate commission pursuant to Article IX for its governance, or for directing or controlling its actions and conduct.
- B. “Contiguous State” means: the next adjacent state, recognizing shared bodies of water and referring only to member states.
- C. “Combined Multi-State Siting Authority” (CMSSA) means: the members of the State Project Review Panel (SPRP) of each involved state.
- D. “Commissioner” means: the voting representative appointed by each member state pursuant to Article IX of this compact.
- E. “Convening state” means: the member state in which an application is filed.
- F. “Federal Agency” means: Any agency of the U.S. government authorized by Congress that administers lands within a proposed transmission line route in member state.
- G. “Interstate Commission” or “Commission” means: the interstate commission created pursuant to Article IX of this compact.
- H. “Involved State” means: A member state through which a proposed transmission line will pass.
- I. “Member State” means: any state that has adopted a transmission line siting compact and has enacted the enabling compact legislation.
- J. “Record” means: all materials and testimonies submitted to the CMSSA during formal proceedings.
- K. “Rule” means: a written statement by the interstate commission promulgated pursuant to Article XII of this compact that is of general applicability, implements, interprets or prescribes a policy or provision of the compact, or an organizational, procedural, or practice requirement of the commission, and has the force and effect of statutory law in a member state, and includes the amendment, repeal, or suspension of an existing rule.

- L. “State Project Review Panel” (SPRP) means: from each member state, three (3) representatives: one appointed respectively by the governor, the legislature, and the state agency with siting authority or as otherwise prescribed by the adopting state.
- M. “State” means: any state, commonwealth, district, or territory of the United States.
- N. “Tribe” means: Any Native American or Alaskan Native tribe or organization federally recognized by the U.S. Department of Interior and the Bureau of Indian Affairs.

### **ARTICLE III: OVERVIEW OF THE APPLICATION AND REVIEW PROCESS**

This Compact creates a method for states to site multi-state electric transmission lines. Three levels of organization are provided:

- A state project review panel within each member state, consisting of three or more members, to coordinate the views of different agencies and interests within the state;
- A combined multi-state siting authority, consisting of the states affected by a particular project proposal, authorized to make siting decisions for that project; and
- An Interstate Compact Commission, which provides administrative support and rulemaking capability.

The CMSSA is hereby given the authority under the compact, as authorized by Congress, to cooperatively site electric transmission lines within the affected states.

A project sponsor may choose to use the procedures of this Compact or to apply to each affected state under the state procedures otherwise applicable. In member states, federal backstop permitting under section 215 of the Federal Power Act (FPA) may not be requested.

A request for siting authority under this Compact is initiated by filing an application in any one of the states in which the project would be sited. That state will convene a CMSSA, composed of each interested state’s SPRP. The CMSSA will make an early determination to accept or reject the application. It will set a procedural schedule for a hearing on the merits of the project.

A. The application shall include:

1. In states that have not declared a critical need for energy infrastructure the showing of need shall be established by the following:
  - a. determined by each state statute;
  - b. other procedures as shall be acceptable to the committee; and

- c. including regional and/or national energy and environmental requirements, while taking into consideration the rules and statutes of each involved members state;
  - 2. All relevant information regarding cost recovery of project costs, or other appropriate organizations; Project costs recovery will be addressed under FERC, individual state regulatory commissions, private contracts, or other mechanisms as specified by the applicant;
  - 3. How the application is consistent with any FERC-sanctioned regional transmission plans;
  - 4. Environmental studies normally required by the federal highway administration
  - 5. The proposed route plan, including an alternatives analysis: and
  - 6. Corporate identity of the primary applicant and any additional partners. This shall be based on existing FERC requirements.
- B. Public notification of the application and the proposed line shall be provided to each involved states by the convening state.
- C. During the review process, the CMSSA will hold two public hearings: the first hearing will evaluate whether the application is complete, and the second hearing will assess the merits of the application, including, but not limited to the economic justification and environmental impacts of the proposed line.
- D. Once a route is certified by the combined state application review board, eminent domain shall be based on each state's existing authority.
- E. For the purposes of this compact judicial appeal shall be based on the appellate process established in 16USC 825I, section 313 of the Power Act Federal Power Act.

Such other information as to meet the substantial interests of the involved state requirements for intrastate transmission lines based upon pre-application conferences with stakeholders and involved states.

#### **ARTICLE IV: APPLICATION FILING PROCESS**

The application process begins with the filing of an application and is subject to the following conditions:

- A. Siting a line across multiple states requires only one application and that application will be filed electronically (to the extent possible) in one state with a state siting authority.



- B. The applicant may file in any eligible member state, which shall also serve as the convening state and shall ensure that copies of the filing are forwarded to the other involved member states. Once the application is filed, that state will convene involved member states to form a CMSSA in the state of filing as defined in Article II, Letter C.
- C. An amount equal to the total expenses incurred for the cost of reviewing the last application in the convening state. This shall be based on reasonable filing fees and is intended to cover only the application's costs, not the cost of the project itself.
- D. The applicant will be responsible for all reasonable costs associated with the review of the application by the involved member states, thus ensuring that costs are covered independent of state funds.
- E. Each member state shall form a State Project Review Panel. While each member state may individually determine which agencies should be part of the SPRP, the Panel shall include the following 3 representatives: one appointed respectively by the governor, the legislature, and the state agency with siting authority or as otherwise prescribed by the adopting state, one of whom shall be designated as chair.
- F. Affected federal agencies and tribes shall be notified and the CMSSA shall include one advisory representative for federal agencies (if federal land is involved) and one representative for all federally recognized tribes (if tribal land is involved) who shall serve in an ex-officio capacity.

#### **ARTICLE V: REVIEW OF SUFFICIENCY OF APPLICATION**

- A. The initial application review process shall be completed within 90 days of filing.
  - 1. During that period, the convening state will assemble the CMSSA comprised of the SPRP members of each involved member state to meet and review the application. Meetings may be held face to face or convened by electronic means as determined by the CMSSA.
  - 2. The Panel will review the application for completeness and accept or reject the application before proceeding with the formal hearing and approval process. If the application is rejected for incompleteness the information deemed to be missing or inadequate shall be clearly specified by the Panel.
  - 3. The CMSSA triggered hereunder shall establish the procedural policies for implementation including public notice of filings and hearings.

#### **ARTICLE VI: PROPOSAL REVIEW AND TIMELINE**

- A. The first CMSSA hearing shall occur within 90 days of the initial filing and is intended to assess the completeness of the application. A second CMSSA meeting

will occur no more than 30 days after the initial decision. The second meeting will assess the merits of the application, including, but not limited to the proposed route, regional and national energy needs, and costs.

- B. The CMSSA at their initial meeting shall establish procedures by which interveners may participate in developing the formal record for the application review.
- C. The CMSSA shall hold at least one public comment hearing in each of the involved member states. These public comment hearings must be completed within 120 days after the initial application filing.
- D. At CMSSA and SPRP meetings all transcripts and other exhibits will be recorded, and all meetings will be open to the public unless a majority of CMSSA or SPRP members vote to close the meeting under the laws of the convening or member state in which the meeting is being held. These documents will be included in the official record.

## **ARTICLE VII: APPROVAL PROCESS**

- A. The CMSSA shall conduct an evidentiary hearing.
- B. The CMSSA will issue conditional or final approval based on the record within 270 days of the filing of the application unless the applicant and the CMSSA agree to a different timeline. The CMSSA shall outline the required actions in instances where conditional approval is granted.
- C. All decisions of the CMSSA will be based on majority vote, with each involved state having one vote as determined by a majority vote of each State Project Review Panel.
- D. A state, based upon the rules of the involved states, may alter the route for the transmission line within its boundaries by assuming incremental costs.

## **ARTICLE VIII: ADMINISTRATIVE AND JUDICIAL REVIEW**

- A. Any Person aggrieved by any action taken by the Combined Multi-State Siting Authority ('CMSSA'), pursuant to the provisions of the compact or authorized rules promulgated hereunder shall be entitled to a hearing before the Interstate Commission according to the procedures provided in the compact bylaws and rules. After exhaustion of such administrative remedies, (i) any aggrieved Person shall have the right to judicial review of a final action by the Commission before a three judge panel of the United States District Courts for the District of Columbia or the District Court in which the interstate commission (Interstate Commission on Electric Transmission Line Siting 'ICCC') created hereunder maintains offices, provided such action is commenced within 90 days;

- B. The Commission may initiate actions to compel compliance with the provisions of this Compact, and the bylaws and rules promulgated hereunder. Jurisdiction over such actions is granted to the United States District Courts for the District of Columbia and the District Court in which the Commission maintains offices. The remedies available to any such court shall include, but not be limited to, equitable relief and civil penalties.
- C. Each Involved State may issue orders within its respective jurisdiction and may initiate actions to compel compliance with the provisions of its respective statutes and regulations adopted to implement the authorities contemplated by this Compact in accordance with the provisions of the laws adopted in each Party's jurisdiction.
- D. Any aggrieved Person, Involved State or the Commission may commence a civil action in the relevant courts and administrative systems to compel any Person or Involved State to comply with this Compact should any such Person, or Involved State without approval having been given, undertake a siting of multi-state electric transmission lines which is prohibited by or subject to approval pursuant to this Compact.
  - 1. No action under this subsection may be commenced if:
    - a. CMSSA approval for the multi-state electric transmission siting has been granted; or
    - b. The CMSSA has found that the proposed siting is not subject to approval pursuant to this Compact.
  - 2. No action under this subsection may be commenced unless:
    - a. A person commencing such action has first given 60 days prior notice to the Commission, Person or Involved State alleged to be in noncompliance; and
    - b. Neither the Commission, Person, or Involved State has commenced and is diligently prosecuting appropriate enforcement actions to compel compliance with this Compact.
  - 3. The available remedies shall include equitable relief, and the prevailing or substantially prevailing party may recover the costs of litigation, including reasonable attorney and expert witness fees, whenever the court determines that such an award is appropriate.

## **ARTICLE IX: THE INTERSTATE COORDINATING COMPACT COMMISSION**

The member states hereby create the “Interstate Commission on Electric Transmission Line Siting” for the purpose of the administration of the Interstate Compact, which is a discretionary state function. The Interstate Commission shall:

- A. Be a body corporate and joint agency of the member states and shall have all the responsibilities, powers and duties set forth herein, and such additional powers as may be conferred upon it by a subsequent concurrent action of the respective legislatures of the member states in accordance with the terms of this compact.
  - 1. Consist of one Interstate Commission voting representative from each member state who shall be that state’s compact commissioner. Each member state shall appoint a compact commissioner and alternates by gubernatorial appointment or as otherwise determined by law. Each member state represented at a meeting of the Interstate Commission is entitled to one vote.
  - 2. A majority of the total member states shall constitute a quorum for the transaction of business, unless a larger quorum is required by the bylaws of the Interstate Commission.
  - 3. The bylaws may provide for meetings of the Interstate Commission to be conducted by telecommunication or electronic communication.
- B. May include ex-officio, non-voting representatives who are members of interested organizations including but not be limited to, tribes, regional transmission organizations, and federal agencies.
- C. Meet at least once each calendar year via telecommunications or in-person meetings. The chairperson may call additional meetings and, upon the request of a simple majority of the member states, shall call additional meetings.
- D. Establish bylaws and rules that provide for conditions and procedures under which the Interstate Commission, the CMSSA, and the SRPR shall make information and official records available to the public for inspection or copying as required by the “Government and Sunshine Act and Open Records Act.”
- E. For a meeting, or portion of a meeting, closed pursuant to this provision, the Interstate Commission shall certify that the meeting may be closed upon a vote of at least 2/3 majority and shall reference each relevant exemptible provision. The Interstate Commission shall keep minutes which shall fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed and the record of a roll call vote. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the Interstate Commission.

- F. After eight states join the compact, an executive committee may be established, whose members shall include the officers of the Interstate Commission and such other members of the Interstate Commission as determined by the bylaws. Members of the executive committee shall serve a one year term. Members of the executive committee shall be entitled to one vote each. The executive committee shall have the power to act on behalf of the Interstate Commission, with the exception of rulemaking, during periods when the Interstate Commission is not in session. The executive committee shall oversee the day-to-day activities of the administration of the compact including enforcement and compliance with the provisions of the compact, its bylaws and rules, and other such duties as deemed necessary.

## **ARTICLE X: POWERS AND DUTIES OF THE INTERSTATE COMMISSION**

The Interstate Commission shall have the following powers:

- A. To provide for dispute resolution among member states.
- B. To promulgate rules, which shall be binding to the extent and in the manner provided for in this compact.
- C. To issue, upon request of a member state, advisory opinions concerning the meaning or interpretation of the interstate compact, its bylaws, rules and actions.
- D. To enforce compliance with the compact provisions, the rules promulgated by the Interstate Commission, and the bylaws, using all necessary and proper means, including but not limited to the use of judicial process.
- E. To purchase and maintain insurance and bonds.
- F. To borrow, accept, hire or contract for services of personnel.
- G. To establish and appoint committees including, but not limited to, an executive committee as required by Article IX, Section F which shall have the power to act on behalf of the Interstate Commission in carrying out its powers and duties hereunder.
- H. To elect or appoint such officers and appoint attorneys, employees, agents, or consultants, and to fix their compensation, define their duties and determine their qualifications; and to establish the Interstate Commission's personnel policies and programs relating to conflicts of interest, rates of compensation, and qualifications of personnel.
- I. To accept any and all donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of it.
- J. To lease, purchase, accept contributions or donations of, or otherwise to own, hold, improve or use any property, real, personal, or mixed.

- K. To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal or mixed.
- L. To establish a budget and make expenditures.
- M. To adopt a seal and bylaws governing the management and operation of the Interstate Commission.
- N. To report annually to the legislatures and governors of the member states concerning the activities of the Interstate Commission during the preceding year. Such reports shall also include any recommendations that may have been adopted by the Interstate Commission.
- O. To coordinate education, training and public awareness regarding the compact, its implementation and operation for officials involved in such activity.
- P. To maintain corporate books and records in accordance with the bylaws.
- Q. To perform such functions as may be necessary or appropriate to achieve the purposes of this compact.

#### **ARTICLE XI: ORGANIZATION AND OPERATION OF THE INTERSTATE COMMISSION**

- A. The Interstate Commission shall, by a majority of the members present and voting, within 12 months after the first Interstate Commission meeting, adopt bylaws to govern its conduct as may be necessary or appropriate to carry out the purposes of the compact.
- B. The Interstate Commission shall, by a majority of the members, elect or appoint annually from among its members a chairperson, a vice-chairperson, and a treasurer, each of whom shall have such authority and duties as may be specified in the bylaws. The chairperson or, in the chairperson's absence or disability, the vice-chairperson, shall preside at all meetings of the Interstate Commission. The officers so elected shall serve without compensation or remuneration from the Interstate Commission; provided that, subject to the availability of budgeted funds, the officers shall be reimbursed for ordinary and necessary costs and expenses incurred by them in the performance of their responsibilities as officers of the Interstate Commission.
- C. The Interstate Commission's officers and its employees shall be immune from suit and liability, either personally or in their official capacity, for a claim for damage to or loss of property or personal injury or other civil liability caused or arising out of or relating to an actual or alleged act, error, or omission that occurred, or that such person had a reasonable basis for believing occurred, within the scope of Interstate Commission employment, duties, or responsibilities; provided, that such person shall

not be protected from suit or liability for damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of such person.

1. The liability of the Interstate Commission's executive director and employees or Interstate Commission representatives, acting within the scope of such person's employment or duties for acts, errors, or omissions occurring within such person's state may not exceed the limits of liability set forth under the Constitution and laws of that state for state officials, employees, and agents. The Interstate Commission is considered to be an instrumentality of the states for the purposes of any such action. Nothing in this subsection shall be construed to protect such person from suit or liability for damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of such person.
2. The Interstate Commission shall defend the officers and its employees and, subject to the approval of the Attorney General or other appropriate legal counsel of the member state represented by an Interstate Commission representative, shall defend such Interstate Commission representative in any civil action seeking to impose liability arising out of an actual or alleged act, error or omission that occurred within the scope of Interstate Commission employment, duties or responsibilities, or that the defendant had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such person.
3. To the extent not covered by the state involved, member state, or the Interstate Commission, the representatives or employees of the Interstate Commission shall be held harmless in the amount of a settlement or judgment, including attorney's fees and costs, obtained against such persons arising out of an actual or alleged act, error, or omission that occurred within the scope of Interstate Commission employment, duties, or responsibilities, or that such persons had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such persons.

## **ARTICLE XII: RULEMAKING FUNCTIONS OF THE INTERSTATE COMMISSION**

- A. Rulemaking Authority - The Interstate Commission shall promulgate reasonable rules pertaining to the administration of the interstate compact commission on electric transmission line siting, in order to effectively and efficiently achieve the purposes of this Compact. Notwithstanding the foregoing, in the event the Interstate Commission exercises its rulemaking authority in a manner that is beyond the scope of the purposes of this Act, or the powers granted hereunder, then such an action by the Interstate Commission shall be invalid and have no force or effect.

- B. Rulemaking Procedure - Rules shall be made pursuant to a rulemaking process that substantially conforms to the federal “Administrative Procedure Act,” as amended, as may be appropriate to the operations of the Interstate Commission.
- C. Not later than thirty (30) days after a rule is promulgated, any person may file a petition for judicial review in the U.S. District Court where the commission has its offices or the District of Columbia; provided, that the filing of such a petition shall not stay or otherwise prevent the rule from becoming effective unless the court finds that the petitioner has a substantial likelihood of success. The court shall give deference to the actions of the Interstate Commission consistent with applicable law and shall not find the rule to be unlawful if the rule represents a reasonable exercise of the Interstate Commission's authority.

### **ARTICLE XIII: OVERSIGHT, ENFORCEMENT, AND DISPUTE RESOLUTION**

#### **A. Oversight**

1. The executive, legislative and judicial branches of state government in each member state shall enforce this compact and shall take all actions necessary and appropriate to effectuate the compact’s purposes and intent including enforcement of any orders of the regional panels hereunder. The provisions of this compact and the rules promulgated hereunder shall have the force and effect of law.
2. All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of this compact which may affect the powers, responsibilities or actions of the Interstate Commission or panels.
3. The Interstate Commission or panels shall be entitled to receive all service of process in any such proceeding, and shall have standing to intervene in the proceeding for all purposes. Failure to provide service of process to the Interstate Commission shall render a judgment or order void as to the Interstate Commission, this compact or promulgated rules.

#### **B. Default, Technical Assistance, Suspension and Termination - If the Interstate Commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact, or the bylaws or promulgated rules, the Interstate Commission shall:**

1. Provide written notice to the defaulting state and other member states, of the nature of the default, the means of curing the default and any action taken by the Interstate Commission. The Interstate Commission shall specify the conditions by which the defaulting state must cure its default.
2. Provide remedial training and specific technical assistance regarding the default.



3. The Interstate Commission, may, by a majority vote of the members, assess fines, fees, and costs in such amounts as are deemed to be reasonable as fixed by the Interstate Commission.
4. The procedural schedule will continue even without the defaulting state's participation.
5. The state which has been suspended or terminated is responsible for all assessments, obligations and liabilities incurred through the effective date of suspension or termination including obligations, the performance of which extends beyond the effective date of suspension or termination.
6. The Interstate Commission shall not bear any costs relating to any state that has been found to be in default or which has been suspended or terminated from the compact, unless otherwise mutually agreed upon in writing between the Interstate Commission and the defaulting state.
7. The defaulting state may appeal the action of the Interstate Commission by petitioning the U.S. District Court for the District of Columbia or the federal district where the Interstate Commission has its principal offices. The prevailing party shall be awarded all costs of such litigation including reasonable attorney's fees.
8. If a state defaults as a result of a filing by a transmission operator or the decision by the CMSSA, the CMSAA shall intervene as a Friend of the Court on behalf of a transmission applicant who follows the Electric Transmission Siting Compact rules.

#### C. Dispute Resolution

1. The Interstate Commission shall attempt, upon the request of a member state or a panel, to resolve disputes which are subject to the compact and which may arise among member states and between member and non-member states, and between member states and transmission applicants.
2. The Interstate Commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

#### D. Enforcement

1. The Interstate Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.
2. The Interstate Commission upon the request of a member state may by majority vote of the members, initiate legal action in the United State District Court for the District of Columbia or, at the discretion of the Interstate Commission, in the

federal district where the Interstate Commission has its principal offices, to enforce compliance with the provisions of the compact, its promulgated rules and bylaws, against a member state in default. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary the prevailing party shall be awarded all costs of such litigation including reasonable attorney's fees.

3. The remedies herein shall not be the exclusive remedies of the Interstate Commission. The Interstate Commission may avail itself of any other remedies available under state or federal law.

#### **ARTICLE XIV: FINANCE AND ADMINISTRATION**

- A. The Commission established hereunder shall delegate day-to-day management and administration of its duties, as needed, to an employees, contractors or donated staff, who shall all be considered governmental employees;
- B. The Commission shall pay or provide for the payment of reasonable expenses of its establishment and organization. To fund the cost of initial operations, the Commission may accept contributions and other forms of funding from federal agencies, compacting states and other sources. Contributions and other forms of funding from other sources shall be of such a nature that the independence of the Commission shall not be compromised;
- C. The Commission shall collect a filing fee equal to 1.5 percent of the filing fee paid to the CMSSA for each proposed line from the applicant to cover the cost of operations and activities of the Commission and its staff in a total amount sufficient to cover the Commission's annual budget;
- D. The Commission shall adopt an annual budget sufficient to provide for the payment of the reasonable expenses of its establishment, organization, and ongoing activities, which shall be fully funded by the member states that shall bear ultimate responsibility. Nothing in this provision shall prevent the compact commission from paying obligations incurred and outstanding from a prior year; and
- E. The Commission may not pledge the credit of any member state, except by and with the appropriate legal authority of that state, and as a governmental entity shall be exempt from all taxation in and by the member states. No member state shall have any claim to or ownership of any property held by or vested in the compact commission or to any compact commission funds held pursuant to the provisions of this compact except for state licensing fees collected from licensees as its agent, and held for periodic transmission to it, by the compact commission.

#### **ARTICLE XV: MEMBER STATES, EFFECTIVE DATE AND AMENDMENT**

- A. Any state is eligible to become a member state.

- B. The compact shall become effective and binding upon legislative enactment of the compact into law by no less than 3 of the states. Thereafter it shall become effective and binding as to any other member state upon enactment of the compact into law by that state. The governors of non-member states or their designees shall be invited to participate in the activities of the Interstate Commission on a non-voting basis prior to adoption of the compact by all states.
- C. The Interstate Commission may propose amendments to the compact for enactment by the member states. No amendment shall become effective and binding upon the Interstate Commission and the member states unless and until it is enacted into law by unanimous consent of the member states.

## **ARTICLE XVI: WITHDRAWAL AND DISSOLUTION**

### **A. Withdrawal**

1. Once effective, the compact shall continue in force and remain binding upon each and every member state; provided that a member state may withdraw from the compact specifically repealing the statute, which enacted the compact into law.
2. Withdrawal from this compact shall be by the enactment of a statute repealing the same, but shall not take effect until the later of either the final determination of a pending application involving that state or one (1) year after the effective date of such statute and until written notice of the withdrawal has been given by the withdrawing state to the Governor of each other member jurisdiction.
3. The withdrawing state shall immediately notify the chairperson of the Interstate Commission in writing upon the introduction of legislation repealing this compact in the withdrawing state. The Interstate Commission shall notify the other member states of the withdrawing state's intent to withdraw within sixty (60) days of its receipt thereof.
4. The withdrawing state is responsible for all assessments, obligations and liabilities incurred through the effective date of withdrawal, including obligations, the performance of which extend beyond the effective date of withdrawal.
5. Reinstatement following withdrawal of a member state shall occur upon the withdrawing state reenacting the compact or upon such later date as determined by the Interstate Commission.

### **B. Dissolution of Compact**

1. This compact shall dissolve effective upon the date of the withdrawal or default of the member state which reduces the membership in the compact to one (1) member state.

2. Upon the dissolution of this compact, the compact becomes null and void and shall be of no further force or effect, and the business and affairs of the Interstate Commission shall be concluded and surplus funds shall be distributed in accordance with the bylaws.

## **ARTICLE XVII: SEVERABILITY AND CONSTRUCTION**

- A. The provisions of this compact shall be severable, and if any phrase, clause, sentence or provision is deemed unenforceable, the remaining provisions of the compact shall be enforceable.
- B. The provisions of this compact shall be liberally construed to effectuate its purposes.
- C. Nothing in this compact shall be construed to prohibit the applicability of other interstate compacts to which the states are members.

## **ARTICLE XVIII: BINDING EFFECT OF COMPACT AND OTHER LAWS**

- A. Other Laws
  1. Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with this compact.
  2. All member states' laws conflicting with this compact are superseded to the 2 extent of the conflict.
- B. Binding Effect of the Compact
  1. All lawful actions of the Interstate Commission, including all rules and by laws promulgated by the Interstate Commission, are binding upon the member states.
  2. All agreements between the Interstate Commission and the member states are binding in accordance with their terms.
  3. In the event any provision of this compact exceeds the constitutional limits imposed on the legislature of any member state, such provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state.